SINGLE BENCH (5)

1

C.F. 1001 –

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. No. 3479 /2006

PETITIONER

B.P. Tiwari,
S/o – Shri Maniram Tiwari,
Aged about – 59 years,
Sub – Engineer, Survey Water Resources Department, Sub-Division – Bilaspur, (C.G.) – Establishment Under Kharang - Water Resources Division, Bilaspur (C.G.)

P.F. No. 35381/06
Presented by Sri Anil Shukla
dated 12/12/06

VERSUS

RESPONDENTS

1. State of Chhattisgarh,
Through: Secretary,
Water Resources Department, Mantralaya, D.K.S. Bhawan, Raipur, (C.G.).

2. Dy. Secretary,
State of Chhattisgarh,
Water Resources Department, District-Raipur (C.G.)

3. Engineer In Chief,
Water Resources Department, District – Raipur (C.G.)

RECEIVED-COPY
12/12/06
CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

(36)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP/ND/3457 **सन्** 2006

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17-7-2006 Shri Y.C. Sharma, counsel for the petitioner. Shri Sumesh Bajaj, Government Advocate for the State/ respondents, on advance copy. Heard both the counsel. By the instant petition, the petitioner has challenged the order dated 4-7-2006 whereby the petitioner, who is working in the Water Resources Department, Sub Division Bilaspur, has been transferred to Jashpur. The main grievance raised by the petitioner in this writ petition is that he is aged more than 59 years and as per the rules within a period of 9 months he is going to attain the age of superannuation. As per the Government Policy, the pension papers of the petitioner are being moved, therefore, he ought not to have been transferred. In the circumstances, learned counsel for the petitioner submitted that the petitioner may be allowed to make a representation to the respondent No.1 and he be directed to decide the same to which learned counsel for respondents has no objection. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, and without expressing any opinion on the merit of the case, the petitioner is allowed to make a detailed representation along with copy of this petition to respondent No.1 within a period of 10 days from today and in turn, respondent No.1 shall decide the representation of the petitioner within a period of 30 days from the date of receipt of the representation, in an objective manner, after considering all the points raised by the petitioner, in accordance with law.	

XI-HC-78

(37)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	Till then, effect and operation of the order impugned shall remain stayed and the petitioner should not be relieved if he has already not relieved. With the direction aforesaid, the petition stands disposed of. Consequently, M.(W.)P. No.2663/2006 also stands disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C.Bhadoo** **Judge**	